

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
for Roanoke
FEB - 1 2011

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

OSCAR LUIS ROBLES
Plaintiff,

v.

MIDDLE RIVER REGIONAL
JAIL, et al.,
Defendant(s).

Civil Action No. 7:10-cv-00462

MEMORANDUM OPINION

By: Hon. Jackson L. Kiser
Senior United States District Judge

By Order entered January 7, 2011, the court directed plaintiff to pay the \$350.00 filing fee or otherwise respond to the order after he was released from incarceration because he was no longer eligible to pay the filing fee via installments, pursuant to 28 U.S.C. § 1915. The court provided plaintiff fifteen days from that order to pay the filing fee. Plaintiff was advised that failing to respond or to pay the filing fee would result in the dismissal of the action without prejudice. More than fifteen days has elapsed, and the plaintiff has failed to respond or pay the filing fee. Accordingly, I dismiss the action without prejudice. Plaintiff may refile his claims in a new and separate action at a time of his choice.

The Clerk is directed to send a copy of this memorandum opinion and accompanying order to plaintiff.

ENTER: This 1st day of ^{February}~~January~~, 2011.

[Signature]
Senior United States District Judge